HON'BLE SRI JUSTICE P.S. NARAYANA

WRIT PETITION NO. 22571 OF 2007

DATE: 29.10.2007

Between:

Rovor Biotechnologies Private Limited rep by its Managing Director.

...Petitioner

AND

1. The Commissioner and Director of Agriculture, A.P. Hyderabad

.....Respondent

HON'BLE SRI JUSTICE P.S. NARAYANA

WRIT PETITION NO. 22571 OF 2007

ORAL ORDER:

Heard the learned counsel.

This Writ Petition is coming up for admission.

The Writ Petition is filed for writ of Mandamus , declaring the action of the respondent and his subordinate officers in interfering with the direct marketing activities of the petitioner company a illegal, unconstitutional and violative of Articles 14,19 and 21 of the Constitution of India and pass such other order or orders as this Hon'ble Court deems fit and proper in the circumstances of the case.

In similar batch of writ petitions i.e., W.P.Nos. 19551 and batch, this court disposed of the same with certain directions, which are as under:

(a) "*it shall be open to of 5 kg. of each prod the corresponding li manufacturing proces the respondent herei*

(bw) *ithin two (4) weeks samples and the lit respondent shall get laboratory and intima petitioners ;*

(c) *in case, the analysis reveals that the products dealt with by the petitioners answer the description of the products mentioned in Schedule-III to the Control Order, the petitioners shall be entitled to deal with the products, only after obtaining licence under the Control Order. On the other hand, if the result is found otherwise, the petitioners shall not be subjected to the regime under the Control Order or the Act; andif the respondent fails to intimate the result of the analysis within two (4) weeks from the date of submission of the samples and the literature, it shall be open to the petitioners to deal with the products, notwithstanding the*

impugned letter and the memo, as long as the products are not insecticides or chemicals

It is submitted that the petitioner has already disposed of, the business, but in almost had commenced the business needless to say that till the directions sought for in the Writ Petitions No order as to costs."

In view of the above, this court is of the view that this Writ Petition also can be disposed of in the light of the above said directions made in similar cases. No order as to costs.

P.S. NARAYANA, J

Date: 29.10.2007
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